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*Attorneys for Peak Medical Montana Operations, LLC
d/b/a Butte Center*

IN THE UNITED STATES DISTRICT COURT
FOR THE DIVISION OF MONTANA
BUTTE DIVISION

GINA JAEGER, individually, AND AS)	Cause No. CV-16-30-BU-SEH
PERSONAL REPRESENTATIVE OF)	
THE ESTATE OF HER SISTER)	
CHARLENE HILL,)	
)	PEAK MEDICAL MONTANA
Plaintiff,)	OPERATIONS, LLC d/b/a BUTTE
)	CENTER'S MOTION TO
vs.)	CORRECT CAPTION TO ADD
)	PEAK AND DROP GENESIS
GENESIS HEALTHCARE, INC., d/b/a)	
THE BUTTE CENTER, JOHN DOE)	
LLC's 1-10; JOHN DOE, INC.'S 1-10,)	
)	
Defendants.)	

Peak Medical Montana Operations, LLC d/b/a Butte Center (“Peak”) moves the Court in accordance with Federal Rule of Civil Procedure 21 to correct the caption to reflect it as a party Defendant in this action and to drop Genesis Healthcare, Inc. (“Genesis”). Plaintiff served the Butte Center, which is the registered assumed business name of Peak. Peak has appeared in this action on behalf of the Butte Center. Further, Genesis should be dismissed from the action in accordance with Federal Rule of Civil Procedure 12(b) and has moved the Court for its dismissal. Accordingly, Peak respectfully requests the Court Order the caption be amended to add Peak as a party Defendant and to drop Genesis Healthcare, Inc., d/b/a the Butte Center.

Pursuant to Local Rule 7.1(c)(1), Peak has contacted counsel for Plaintiff. Plaintiff objects to this motion. Genesis Healthcare, Inc. has no objection and agrees the caption should be amended to add Peak as a party Defendant and drop Genesis Healthcare, Inc., d/b/a the Butte Center.

Dated June 30, 2016.

CROWLEY FLECK PLLP

/s/ Brett P. Clark

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*Attorneys for Peak Medical Montana
Operations, LLC d/b/a Butte Center*